



PUBLIC NOTICE

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COMMISSION ANNOUNCES ENTITY SELECTED FOR CERTIFICATION TO PARTICIPATE IN THE NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM FOR MICHIGAN

Washington, D.C. – The Consumer and Governmental Affairs Bureau (Bureau or CGB) of the Federal Communications Commission (Commission) has selected the Perkins School for the Blind (Perkins) for certification to participate in the National Deaf-Blind Equipment Distribution Program (NDBEDP) for the state of Michigan, effective October 3, 2014.

The NDBEDP is a program mandated by Section 105 of the Twenty-First Century Communications and Video Accessibility Act (CVAA) that provides funding of up to \$10 million annually for the distribution of communications equipment to low-income individuals who are deaf-blind.¹ On April 4, 2011, the Commission adopted the *NDBEDP Pilot Program Order*, establishing the framework for a pilot program to fulfill this CVAA mandate.² In that *Order*, the Commission determined that it would certify one entity per state as eligible to receive support for the local distribution of equipment to low-income individuals who are deaf-blind.³ Each certified entity has primary oversight and responsibility for compliance with program requirements for its state, but certified entities may fulfill their responsibilities either directly or through collaboration, partnership, or contract with other individuals or entities in-state or out-of-state, including other NDBEDP certified programs.⁴ Participation in the NDBEDP also entails the provision of related services, including local outreach, individual assessments and training, as well as equipment installation and maintenance, that may be needed to effectively provide a person who is deaf-blind with the equipment that he or she needs to access the communications services covered by the CVAA.⁵

¹ Pub. L. 111-260, 124 Stat. 2751 (2010); *see also* Pub. L. 111-265, 124 Stat. 2795 (2010) (making technical corrections to the CVAA). Section 105 of the CVAA adds Section 719 to the Communications Act of 1934, as amended, and is codified at 47 U.S.C. § 620. The CVAA authorizes the Commission to allocate these funds from the interstate telecommunications relay service fund (TRS Fund).

² *See Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, CG Docket No. 10-210, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Program Order*).

³ *Id.*, 26 FCC Rcd at 5646, ¶ 12.

⁴ *Id.*, 26 FCC Rcd at 5647, ¶ 13.

⁵ *Id.*, 26 FCC Rcd at 5667-5676, ¶¶ 63-79. The NDBEDP pilot program will cover the reasonable costs of such related services. *See* 47 C.F.R. § 64.610(f)(2).

The Commission launched the NDBEDP on July 1, 2012.⁶ On July 2, 2012, the Commission announced that it had selected one entity for each of the 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands to participate in the NDBEDP.⁷ The Commission selected the Michigan Bureau of Services for Blind Persons (BSBP) as the certified program for the state of Michigan.⁸

In September, the Michigan BSBP informed the Commission that it would not continue participating in the NDBEDP and that it would relinquish its certification as of October 1, 2014.⁹ On September 17, 2014, the Bureau invited applications for certification to participate in the NDBEDP for the state of Michigan.¹⁰ In response, the Bureau received one application from Perkins.¹¹ In accordance with the *NDBEDP Pilot Program Order*, the Bureau reviewed Perkins's application for its ability to meet the following qualifications, either directly or in coordination with other programs or entities:

- expertise in the field of deaf-blindness, including familiarity with the culture and etiquette of people who are deaf-blind, to ensure that equipment distribution and the provision of related services occurs in a manner that is relevant and useful to consumers who are deaf-blind;
- ability to communicate effectively with people who are deaf-blind (for training and other purposes), by among other things, using sign language, providing materials in Braille, ensuring that information made available online is accessible, and using other assistive technologies and methods to achieve effective communication;
- staffing and facilities sufficient to administer the program, including the ability to distribute equipment and provide related services to eligible individuals throughout the state, including those in remote areas;
- experience with the distribution of specialized customer premises equipment, especially to people who are deaf-blind;
- experience in training users on how to use the equipment and how to set up the equipment for its effective use; and

⁶ *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7403 (CGB 2012).

⁷ *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, CG Docket No. 10-210, Public Notice, 27 FCC Rcd 7397 (CGB 2012).

⁸ *Id.* At the time it applied for certification, and as reflected in the Public Notice announcing the entities selected for certification, the Michigan Bureau of Services for Blind Persons was known as the Michigan Commission for the Blind. *Id.*

⁹ Letter from Mike Pemble, Acting Director, Bureau of Services for Blind Persons, to Jacqueline Ellington, Attorney Advisor, Disability Rights Office, Consumer and Governmental Affairs Bureau, FCC (Sept. 9, 2014).

¹⁰ *See FCC Invites Applications for Certification to Participate in the National Deaf-Blind Equipment Distribution Program in the State of Michigan*, Public Notice, DA 14-1348 (CGB rel. Sept. 17, 2014).

¹¹ *See* Letter from Betsy L. McGinnity, Director, Training & Educational Resources Program, Perkins School for the Blind, submitting application for NDBEDP certification to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (Sept. 26, 2014) (Perkins Application).

- familiarity with the telecommunications, Internet access, and advanced communications services that will be used with the distributed equipment.¹²

The Bureau has determined that Perkins meets the Commission's qualifications for certification to operate the NDBEDP program in Michigan. Perkins has been operating NDBEDP programs in 12 other states since July 1, 2012,¹³ in Nevada since July 1, 2013,¹⁴ in Mississippi since January 1, 2014,¹⁵ in Vermont since July 1, 2014,¹⁶ and in Indiana and Minnesota since July 16, 2014.¹⁷ In this and other aspects of its programs, Perkins has demonstrated extensive experience in providing accessible services in a manner that shows cultural awareness of the deaf-blind community and considerable expertise in communications technology used by individuals who are deaf-blind.¹⁸ As the NDBEDP certified program for Michigan, Perkins will work in partnership with local agencies to meet the needs of the deaf-blind population throughout Michigan.¹⁹ In addition, the Perkins application included letters of support from two organizations that provide related services to individuals with disabilities and their families in Michigan.²⁰ These organizations will work collaboratively with Perkins to fulfill the NDBEDP requirements.²¹

Accordingly, the Bureau has selected Perkins for certification to participate in the NDBEDP for the state of Michigan. Certification for Perkins will continue for the duration of the NDBEDP pilot program,²² subject to Perkins's compliance with the Commission's program requirements.²³

¹² See 47 C.F.R. § 64.610(b)(3).

¹³ *Id.*

¹⁴ *Commission Announces Entity Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Nevada*, CG Docket No. 10-210, Public Notice, 28 FCC Rcd 10223 (CGB 2013).

¹⁵ *Commission Announces Entity Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Mississippi*, CG Docket No. 10-210, Public Notice, 28 FCC Rcd 16950 (CGB 2013).

¹⁶ *Commission Announces Entities Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Vermont and Nebraska*, CG Docket No. 10-210, Public Notice, 29 FCC Rcd 5883 (CGB 2014).

¹⁷ *Commission Announces Entities Selected for Certification to Participate in the National Deaf-Blind Equipment Distribution Program for Indiana and Minnesota*, CG Docket No. 10-210, Public Notice, 29 FCC Rcd 8365 (CGB 2014).

¹⁸ See Perkins Application at 8.

¹⁹ See Perkins Application at 2-3.

²⁰ See Letter from Mike Pemble, Acting Director, Bureau of Services for Blind Persons, to Federal Communications Commission, Consumer and Governmental Affairs Bureau (Sept. 19, 2014); Joe Sibley, President, Michigan Council of the Blind and Visually Impaired, to NDBEDP Administrator, Disability Rights Office, Consumer and Governmental Affairs Bureau (Sept. 20, 2014).

²¹ *Id.*

²² The termination date for the NDBEDP pilot program is June 30, 2015. See *Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Order, 29 FCC Rcd 1234 (CGB 2014) (*NDBEDP Third Year Order*).

²³ *NDBEDP Pilot Program Order*, 26 FCC Rcd at 5647, ¶ 14. See generally, 47 C.F.R. §§ 64.610(a)-(k).

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